

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

MICHELE BAKER; CHARLES CARR;
ANGELA CORBETT; PAMELA FORREST;
MICHAEL HICKEY, individually and as parent
and natural guardian of O.H., infant;
KATHLEEN MAIN-LINGENER; KRISTIN
MILLER, as parent and natural guardian of
K.M., infant; JENNIFER PLOUFFE; SILVIA
POTTER, individually and as parent and natural
guardian of C.P, infant; and DANIEL
SCHUTTIG, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS
CORP., and HONEYWELL INTERNATIONAL
INC. f/k/a ALLIED-SIGNAL INC. and/or
ALLIEDSIGNAL LAMINATE SYSTEMS,
INC., E.I. DUPONT DE NEMOURS AND
COMPANY, INC., and 3M CO.,

Defendants.

Case No. 1:16-CV-00917-LEK-DJS

**NOTICE OF MOTION FOR
PRELIMINARY APPROVAL OF
CLASS SETTLEMENT,
PRELIMINARY CERTIFICATION OF
SETTLEMENT CLASSES, AND
APPROVAL OF NOTICE PLAN**

PLEASE TAKE NOTICE, that upon the annexed Joint Declaration of Stephen G. Schwarz, Hadley Lundback Matarazzo, James J. Bilsborrow, and Robin Greenwald in Support of Plaintiffs' Motion for Preliminary Approval of Class Settlement, Preliminary Certification of Settlement Classes, and Approval of Notice Plan, together with exhibits 1 through 6 annexed thereto, and the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of Class Settlement, Preliminary Certification of Settlement Classes, and Approval of Notice Plan, and upon all of the pleadings and proceedings herein, Plaintiffs, by their

undersigned attorneys, move this Court for entry of the Preliminary Approval Order, attached as Exhibit C to the Settlement Agreement, which establishes the following:

- (1) Preliminary certification of the Municipal Water Property Settlement Class, the Private Well Water Property Settlement Class, the Nuisance Settlement Class, and the Medical Monitoring Settlement Class for purposes of settlement, all as defined in the Settlement Agreement, appointment of Plaintiffs as the Class Representatives, and appointment of their counsel as Interim Settlement Class Counsel;
- (2) Preliminary approval of the Settlement, attached hereto as Exhibit 1;
- (3) Approval of the Notice Program;
- (4) Appointment of KCC Class Action Services as the General Administrator and directions to KCC to commence the Notice Program;
- (5) Authority pursuant to Local Rule of Civil Practice, Rule 17.1 and N.Y. C.P.L.R. § 1201 for parents and guardians of all named Minor Plaintiffs and absent Minor Settlement Class Members, and for legal representatives of absent incompetent Settlement Class Members, to sign Claim Forms and releases on behalf of the Settlement Class Members they represent; and
- (6) A Final Approval Hearing to consider final approval of the Settlement and any application for attorneys' fees, expenses, and Class Representative Service Awards to be held approximately 180 days after the entry of the Preliminary Approval Order.

Plaintiffs further request the following schedule of deadlines to be entered by the Court:

Event	Date
Deadline for the Settling Defendants to pay \$10,000,000 in cash into the Escrow Account	No later than 20 days from the date of Preliminary Approval Order
Deadline for General Administrator to commence Notice Program	No later than 30 days from the date of the Preliminary Approval Order
Commencement of the Enrollment Period	30 days from the date of the Preliminary Approval Order
Opt Out Deadline	105 days from the date of the Notice Date
Objection Deadline	105 days from the date of the Notice Date

Deadline for filing a Motion for Final Approval and any petition for an award of attorneys' fees, costs, and Service Awards	No later than 150 days from the date of the Preliminary Approval Order
Final Approval Hearing	Approximately 180 days from the date of the Preliminary Approval Order

Dated: July 21, 2021
Ridgefield Park, New Jersey

/s/ James J. Bilsborrow
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Plaintiffs' Liaison Counsel

CERTIFICATE OF SERVICE

I certify that on July 21, 2021, a true and accurate copy of the foregoing Notice of Motion was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ James J. Bilborrow